



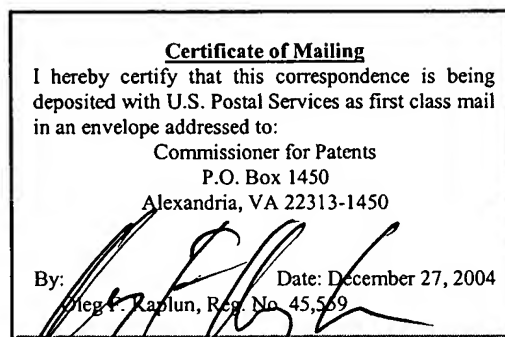
[10121/01301]

1Fw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Trabada et al.  
Serial No. : 10/753,848  
Filed : January 8, 2004  
For : Endoluminal Access Devices and Related Methods of Use  
Group Art Unit : 3731  
Examiner : To be assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



TRANSMITTAL

Transmitted herewith please find a Power of Attorney executed by an Assignee of entire interest for filing in the above-identified application. In addition, enclosed are copies of previously filed Assignment/Employment documents which establish the ownership of the application.. No fees are believed to be required. However, the Commissioner is hereby authorized to charge the Deposit Account of **Fay Kaplun & Marcin LLP No. 50-1492** any additional fees. A copy of the paper is enclosed for this purpose.

Dated: December 27, 2004

By: [Signature]  
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, N.Y. 10038  
(212) 619-6000 (telephone)  
(212) 619-0276 (facsimile)



[10121/01301]

[99-0090]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): German TRABADA et al.

Serial No.: 10/753,848

Filed: January 8, 2004

For: ENDOLUMINAL ACCESS DEVICES AND  
RELATED METHODS OF USE

Group Art Unit: 3731

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**GRANT OF POWER OF ATTORNEY PURSUANT TO 37 C.F.R. § 3.71**

Assignee hereby appoints: Patrick J. Fay (Reg. No. 35,508); Oleg F. Kaplun (Reg. No. 45,559); Michael J. Marcin (Reg. No. 48,198); Paolo M. Trevisan (Reg. No. 45,164); Scott Bluni (Reg. No. 40,916); Luke R. Dohmen (Reg. No. 36,783); William J. Shaw (Reg. No. 43,111), Kurt W. Lockwood (Reg. No. 40,704), James R. Chiapetta (Reg. No. 39,634), Peter J. Gafner (Reg. No. 36,517), Albert K. Kau (Reg. No. 40,672), Steven A. McAuley (Reg. No. 46,084) and Todd P. Messal (Reg. No. 42,883) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith. All previous Powers of Attorney in connection with this application are hereby revoked. Please send all correspondence to:

Customer No. 30636  
Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038

and direct all phone calls to Patrick J. Fay at (212) 619-6000 Ext. 202.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

November 16, 2004

Date

Kurt W. Lockwood (Reg. No. 40,704)  
Assistant Secretary

SCIMED LIFE SYSTEMS, INC.

FORM PTO 1585

RECORDATION FORM COVER SHEET  
U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
**PATENTS ONLY**



To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

Russell F. Durgin Jr. and Robert Sakal

Additional name(s) of conveying parties attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other: \_\_\_\_\_

Execution date: June 8, 2004 and July 13, 2004

## 2. Name and address of receiving party(ies)

Name: SCIMED LIFE SYSTEMS, INC.

Street Address:

ONE SCIMED PLACE  
MAPLE GROVE, MINNESOTA 55311-1566

## 4. Application numbers or patent numbers:

A. Patent Applications: 10/753,848 filed on January 8, 2004

B. Patent No.(s)

Additional Numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Oleg F. Kaplun, Esq.

Internal Address: Fay Kaplun &amp; Marcin, LLP

Street Address: 150 Broadway, Suite 702City: New York State: New York ZIP: 100386. Total number of applications and patents involved: 1  
TITLE: ENDOLUMINAL ACCESS DEVICES AND RELATED METHODS OF USE

7. Total fee (37 C.F.R. 3.41) ..... \$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number:  
\_\_\_\_\_

## DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Oleg F. Kaplun, (Reg. No. 45,559)

Name of Person Signing

Signature

Date

11/24/04

Total Number of pages including cover sheet, attachments, and document: 6

OMB No. 0651-0011 (exp. 4/94)

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P.O. Box 1450  
Alexandria, VA 22313-1450

**ASSIGNMENT**

WHEREAS, We,

**German TRABADA**  
16892 SW 1st Street  
Pembroke Pines, FL 33027-1093  
Citizenship: United States of America

**Russell F. DURGIN, Jr.**  
146 Knott Street  
Attleboro, MA 02703  
Citizenship: United States of America

and

**Robert SAKAL**  
76 Bolton Woods Way  
Bolton, MA 01740  
Citizenship: United States of America

(hereinafter also referred to as "the Assignor"); have invented new and useful inventions and discoveries in **ENDOLUMINAL ACCESS DEVICES AND RELATED METHODS OF USE**, for which we have made application for Letters Patent of the United States, said application being filed January 8, 2004 and Assigned Serial No. 10/753,848 and;

WHEREAS, SCIMED LIFE SYSTEMS, INC., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One Scimed Place, Maple Grove, Minnesota 55311-1566, (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the application and invention therein described and claimed and any Letters Patent that may be issued upon the application or for the improvements therein contained.

NOW, THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in my name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance.

5. Bind our heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 8<sup>th</sup> day of  
June, 2004.

Russ F. Durgin, Jr.  
Russell F. DURGIN, Jr.

Commonwealth of Massachusetts )  
County of Middlesex )

On this 8<sup>th</sup> day of June, 2004, before me, the undersigned Notary Public,  
personally appeared Russ Durgin, provided to me through satisfactory  
evidence of identification, which was/were employee badge, to be the  
person(s) whose name (s) is signed on the preceding or attached document in my presence, and  
who swore or affirmed to me that the contents of the document are truthful and accurate to the  
best of his/her knowledge and belief.

[Signature]  
Signature of Notary

My Commission Expires: 11/3/06



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 13<sup>th</sup> day of July, 2004.

Robert Sakal 7/13/04  
Robert SAKAL

Commonwealth of Massachusetts )  
County of Middlesex )

On this 13<sup>th</sup> day of July, 2004, before me, the undersigned Notary Public, personally appeared Robert Sakal, provided to me through satisfactory evidence of identification, which was/were personal knowledge, to be the person(s) whose name (s) is signed on the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

Kathleen A. Dulan (Seal)  
Signature of Notary

My Commission Expires: Dec. 27, 2007

FORM PTO 1585

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

German Trabada

Additional name(s) of conveying parties attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies)

Name: BOSTON SCIENTIFIC CORPORATION

Street Address:

ONE BOSTON SCIENTIFIC PLACE  
NATICK, MA 01760-1537

## 3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other: Employment Agreement

Execution date: January 20, 1999

## 4. Application numbers or patent numbers:

A. Patent Applications: 10/753,848 filed on January 8, 2004

B. Patent No.(s)

Additional Numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Oleg F. Kaplun, Esq.

Internal Address: Fay Kaplun &amp; Marcin, LLP

Street Address: 150 Broadway, Suite 702City: New York State: New York ZIP: 10038

## 6. Total number of applications and patents involved: 1

TITLE: ENDOLUMINAL ACCESS DEVICES AND RELATED  
METHODS OF USE

7. Total fee (37 C.F.R. 3.41) ..... \$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number:

## DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Oleg F. Kaplun, (Reg. No. 45,559)

Name of Person Signing

Signature

Date

Total Number of pages including cover sheet, attachments, and document: 3

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

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 Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**Acknowledgment of Employment at Will Agreement  
and  
Receipt of Handbook**

In consideration of my employment, I agree to conform to the rules and regulations of the Company. I understand that my employment may be terminated at-will with or without notice, at anytime, at the option of either the Company or myself.

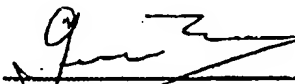
I understand that no management representative has any authority to enter into any agreement of employment for any specific period of time, except for the Vice President and General Manager. Any such agreement between the Vice President and General Manager and myself must be in writing.

I German Trabada, have received a copy of the Boston Scientific/Symbiosis Employee Handbook. I agree to read the complete handbook and to abide by the rules, policies and benefits contained therein.

I understand the rules, policies, and benefits contained in the Employee Handbook may be modified, substituted or deleted at anytime.

I understand that neither this Handbook nor an other communication by management is intended, in any way, to create a contract of permanent employment.

German Trabada  
Employee Name

  
Employee Signature

1/20/99  
Date Received

## Patent Policy

All inventions and discoveries made by you, solely or jointly with others, during the period of your employment with Boston Scientific/Symbiosis and six months thereafter; arising out of employment or pertaining to the business or the research activities of Boston Scientific/Symbiosis, and all records including original notebooks, drawings and memoranda (which hereby you agree to keep), are and shall be the property of Boston Scientific/Symbiosis.

You will promptly, without request, disclose to Boston Scientific/Symbiosis all such inventions and discoveries you make.

Upon request of Boston Scientific/Symbiosis and at its expense, you or your legal representative will apply for Letters of Patent in this and in foreign countries on such inventions and discoveries; will execute all papers necessary thereto, including assignments of patent applications and patents; and will lend assistance to the prosecution or defense of any proceedings in or relating to such patent applications and patents. When such assistance is rendered after employment, Boston Scientific/Symbiosis will pay a reasonable sum (as determined by Boston Scientific/Symbiosis) for time and expenses.

Upon the termination of employment, you or your legal representative shall promptly deliver to Boston Scientific/Symbiosis all originals and copies of drawings, records, reports, notes, correspondence, photographs, blueprints, maps and any other recorded, written or printed matter under your control relating to any inventions and discoveries referred to herein and will return all property of Boston Scientific/Symbiosis such as equipment, specimens, samples, models and biological culture.

FORM PTO 1585

RECORDATION FORM COVER SHEET  
U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
**PATENTS ONLY**

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

BOSTON SCIENTIFIC CORPORATION

Additional name(s) of conveying parties attached? ☐ Yes x No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other: \_\_\_\_\_

Execution date: December 23, 2004

## 2. Name and address of receiving party(ies)

Name: SCIMED LIFE SYSTEMS, INC.

Street Address:

ONE SCIMED PLACE  
MAPLE GROVE, MINNESOTA 55311-1566

## 4. Application numbers or patent numbers:

A. Patent Applications: 10/753,848 filed on January 8, 2004

B. Patent No.(s)

Additional Numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Oleg F. Kaplun, Esq.

Internal Address: Fay Kaplun &amp; Marcin, LLP

Street Address: 150 Broadway, Suite 702

City: New York State: New York ZIP: 10038

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7. Total fee (37 C.F.R. 3.41) ..... \$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number:

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Oleg F. Kaplun, (Reg. No. 45,559)

Name of Person Signing

Signature

Date

12/27/04

Total Number of pages including cover sheet, attachments, and document: 2

OMB No. 0651-0011 (exp. 4/94)

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Commissioner of Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

ASSIGNMENT

WHEREAS, **Boston Scientific Corporation** (hereinafter "ASSIGNOR"), a corporation organized and existing under the laws of the State of Delaware, and having a place of business at One Boston Scientific Place, Natick, MA 01760 is the owner of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/753,848 filed on January 8, 2004 as assigned to ASSIGNOR by German Trabada.

WHEREAS, **Scimed Life Systems, Inc.**, (herewith "ASSIGNEE"), organized and existing under and by virtue of the laws of the State of Minnesota, and having an office at One Scimed Place, Maple Grove, MN 55311-1566 is desirous to acquiring the entire right, title, and interest in and to the Patent Application and invention therein described and claimed and any Letters Patent that may be issued upon the Patent Application or for the improvements therein contained (hereafter referred to collectively as "Patent Rights");

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the ASSIGNOR hereby sells, assigns, transfers, and delivers to the ASSIGNEE, its successors, assignees and legal representatives the entire right, title, and interest in and to the Patent Rights any and all other applications for Letters Patent on the inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon the inventions or discoveries, or upon the applications, and any and all Letters Patent, reissues, and extensions of Letters Patent grant for the inventions and discoveries or upon the applications, and every priority right that is or may be predicated upon or arise from the inventions, the discoveries, the Patent Application, and Letters Patent.

AND, ASSIGNOR hereby further agrees for itself and its successors, assigns, and legal representatives to execute upon request any other lawful documents and likewise to perform any other necessary lawful acts to the ASSIGNEE, its successors, assigns, and legal representatives.

IN WITNESS WHEREOF, the parties have caused this ASSIGNMENT to be duly executed and delivered as of the date set forth below.

BOSTON SCIENTIFIC CORPORATION

Dated: December 23, 2004

By: [Signature]

Name: WILLIAM J SHAW

Title: PATENT COUNSEL

Commonwealth of Massachusetts )  
County of Middlesex )

On this 23rd day of December, 2004, before me, the undersigned Notary Public, personally appeared William J Shaw, provided to me through satisfactory evidence of identification, which was/were personal knowledge, to be the person(s) whose name (s) is signed on the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

Kathleen A. Sullivan  
Signature of Notary

(Seal)

My Commission Expires: Dec. 27, 2007